

EXHIBIT 4

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

)
JAMES KUYKENDALL,)
)
Plaintiff,)
)
Vs.) CIVIL ACTION No.
) 5:20-cv-219
AMAZON STUDIOS, LLC,)
et al.,)
)
Defendant.)
_____)

Zoom Videotaped deposition of HECTOR
BERRELLEZ, Volume I, taken on behalf of Plaintiff, at
Van Nuys, California, beginning at 11:08 a.m., and 11:10:24
ending at 1:17 p.m., on Tuesday, October 5, 2021,
before LORI M. BARKLEY, Certified Shorthand Reporter
No. 6426.

1 APPEARANCES :

2
3 FOR THE PLAINTIFF:

4 DICELLO LEVITT & GUTZLER

5 BY: F. FRANKLIN AMANAT, ESQ.

6 BY: CARMEL KAPPUS, ESQ.

7 444 Madison Avenue, Fourth Floor

8 New York, New York 10022

9 (646) 933-1000

10 famanat@dicellolevitt.com

11 ckappus@dicellolevitt.com

12
13 IPC TELEVISION LLC:

14 HAYNES & BOONE LLP

15 BY: ALEX B. LUTZKY, ESQ.

16 112 East Pecan Street, Suite 1200

17 San Antonio, Texas 78205

18 alex.lutzky@haynesboone.com

1 APPEARANCES (continued):

2
3 FOR THE WITNESS:

4 CAMERON STRACHER PLLC

11:11:29

5 BY: CAMERON STRACHER, ESQ.

6 BY: SARA TESORIERO, ESQ.

7 51 Astor Place, Ninth Floor

8 New York, New York 10003

9 (646) 992-3850

10 cam@stracherlaw.com

11 sara@stracherlaw.com

12
13 FOR AMAZON STUDIOS, LLC:

14 DAVIS WRIGHT TREMAINE LLP

15 BY: CYDNEY SWOFFORD FREEMAN, ESQ.

16 865 South Figueroa Street, Suite 2400

17 Los Angeles, California 90017

18 (213) 633-8612

19 cydneyfreeman@dwt.com

20
21
22 ALSO PRESENT:

23 Videographer: Brian Keilhack

INDEX

WITNESS

EXAMINATION

HECTOR BERRELLEZ

Volume I

BY MR. AMANAT

11

BY MR. STRACHER

67

EXHIBITS

NUMBER

DESCRIPTION

PAGE

Exhibit 1 Defendant Hector Berrellez's 22

Responses to Plaintiff's

Interrogatories Regarding

Personal Jurisdiction, 24 pages

Exhibit 2 Calendar Invite from Shipra 38

Gupta, dated 4/14/2020, Bates

stamped AZ-JK-0000283

Exhibit 3 Article by Jyotsna Bosotia, 44

dated May 15, 2020, 5 pages

1 INDEX (Continued):

2 EXHIBITS

3 NUMBER	DESCRIPTION	PAGE
4 Exhibit 4	Screenshot from Valuetainment, 5 Patrick Bet-David, "Mexico DEA 6 Narc Reveals CIA's Greatest 7 Coverup," November 18, 2020, 8 2 pages	47
10 Exhibit 5	Screenshot from Journey to 11 Justice, Pete Carrillo, "The Last 12 Narc: The Book," dated 13 September 8, 2020, 1 page	52
15 Exhibit 6	Screenshot from Journey to 16 Justice, Pete Carrillo, "The Last 17 Narc Blood in the Corn," dated 18 September 13, 2020, 1 page	52
20 Exhibit 7	Screenshot with Sheepdog Acist, 21 David Contreras, dated 22 December 1, 2020, 1 page	56

1 INDEX (Continued):

2 EXHIBITS

3	NUMBER	DESCRIPTION	PAGE
4	Exhibit 8	Screenshot from Victor Martinez,	57
5		Milenio Newscast, Interview with	
6		Hector Berrellez, dated April 11,	
7		2021, 1 page	
8			
9	Exhibit 9	Screenshot from Two Guys from	58
10		Hollywood interview with Hector	
11		Berrellez, dated February 9,	
12		2021, 1 page	

13
14
15
16
17 MARKED AT REQUEST OF COUNSEL

18 Page Line

19 62 24

1 INDEX (Continued) :

2

3

INSTRUCTION NOT TO ANSWER

4

Page

Line

5

48

19

6

62

11

7

63

3

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 Van Nuys, California; Tuesday, October 5, 2021 11:10:24

2 11:09 a.m.

3

4 VIDEO OPERATOR: Good morning. We're going 11:09:25

5 on the record at 11:09 a.m., on October 5, 2021. 11:09:26

6 Please note that today's proceeding are 11:09:34

7 being videotaped, and anything being said while on 11:09:36

8 the record may be picked up and put on the record. 11:09:39

9 Furthermore, audio and video recording will 11:09:43

10 continue to take place unless all parties agree to go 11:09:48

11 to off the record. 11:09:50

12 This is Media Unit 1 of the video recorded 11:09:53

13 deposition of Hector Berrellez in the matter of James 11:09:56

14 Kuykendall versus Amazon Studios LLC, et al., filed 11:10:02

15 in the United States District Court, for the Southern 11:10:05

16 District of Texas, Lored Division. Case number 11:10:08

17 5:20-cv-219. 11:10:20

18 This deposition is being held at 11:10:20

19 Intellectual Property Corporation located at 11:10:21

20 Van Nuys, California, 91411. 11:10:24

21 My name is Brian Keilhack from the firm 11:10:29

22 Veritext, and I am the videographer. The court 11:10:31

23 reporter is Lori Barkley from the firm Veritext. 11:10:34

24 Counsel, at this time I ask that you 11:10:39

25 introduce yourselves and your affiliations as well as 11:10:41

Page 10

1 who you represent, starting with our deposing 11:10:44

2 counsel. 11:10:47

3 After introductions have been made, the 11:10:47

4 court reporter will swear in our witness. 11:10:50

5 Thank you. 11:10:52

6 MR. AMANAT: Hi. Good morning to those of 11:10:55

7 you on the West Coast. Good afternoon to those of on 11:10:59

8 you the East Coast. 11:11:03

9 My name is Frank Amanat from Dicello 11:11:04

10 Levitt & Gutzler in New York City, and I am here with 11:11:07

11 my colleagues Carmel Kappus, K-A-P-P-U-S, also of the 11:11:09

12 Dicello Levitt & Gutzler, and we represent the 11:11:16

13 plaintiff in this case, Haime Kuykendall. 11:11:18

14 MR. STRACHER: Good afternoon. My name is 11:11:24

15 Cameron Stracher. I am with the law firm Cameron 11:11:25

16 Stracher PLLC, and I'm actually in Los Angeles. My 11:11:28

17 associate, Sara Tesoriero, is remote in New York, and 11:11:31

18 I represent the witness, Hector Berrellez. 11:11:35

19 MR. LUTZKY: Good morning and good 11:11:42

20 afternoon. My name is Alexander Lutzky. I'm with 11:11:43

21 the law firm of Haynes & Boone, and I'm here 11:11:47

22 representing one of the codefendants, IPC Television 11:11:49

23 IPC. 11:11:57

24 MR. FREEMAN: Hi everyone. Cydney Freeman 11:11:59

25 from Davis Wright Tremaine in Los Angeles, 11:12:01

Page 11

1 representing codefendant, Amazon Studios, LLC. 11:12:03

2

3 HECTOR BERRELLEZ,

4 having been administered an oath, was examined and

5 testified as follows:

6

7 EXAMINATION 11:12:27

8 BY MR. AMANAT: 11:12:27

9 Q. Good morning, Mr. Berrellez. As I 11:12:29

10 mentioned, my name is Frank Amanat. I represent 11:12:31

11 Haime Kuykendall in this case. I'll be asking you 11:12:36

12 some questions today. 11:12:38

13 I'll begin by asking you if you have ever 11:12:40

14 been deposed before? 11:12:42

15 A. No, sir. 11:12:50

16 Q. Have you testified in court before? 11:12:51

17 A. Yes, sir. 11:12:53

18 Q. And was your court testimony in connection 11:12:54

19 with your work with the DEA, or have you testified in 11:12:56

20 other contexts as well? 11:13:02

21 A. As a DEA special agent, sir. 11:13:03

22 Q. Since you haven't been deposed, before let 11:13:07

23 me just spend a couple minutes going over the ground 11:13:10

24 rules for today's proceedings. 11:13:13

25 I'll be asking you some questions to get 11:13:15

Page 19

1 Q. Do you have -- now, I have, and we're going 11:22:37
2 to talk in a few minutes about the contract that you 11:22:39
3 produced to us between you and Buckingham Television. 11:22:42

4 But separate and apart from that, that 11:22:50
5 contact, which we'll look at, do you have a separate 11:22:53
6 agreement with Tiller Russell with regard to your 11:22:57
7 story? 11:23:00

8 A. Would you rephrase the question, please. 11:23:03

9 Q. Did you have any agreement, written 11:23:04
10 agreement with Tiller Russell, with regard to your 11:23:09
11 story and his plan to make a movie based on your 11:23:15
12 story? 11:23:17

13 A. We went -- we went into a contract, yes, 11:23:20
14 sir.

15 Q. Okay. You did have a contact with 11:23:25
16 Mr. Russell, okay. 11:23:28

17 MR. AMANAT: Counsel, I'd call for the 11:23:29
18 production of that immediately, please. 11:23:30

19 Q. So do you consider the movie "The Last 11:23:37
20 Narc," which is the subject of this lawsuit, do you 11:23:40
21 consider it to be based on your book? 11:23:42

22 A. It is not. 11:23:45

23 Q. You do not consider the movie to be based on 11:23:49
24 your book? 11:23:51

25 A. No, sir, I do not. 11:23:52